

**REMARKS**

Claims 1-12 are pending in this application, claims 7-9 and 12 having been withdrawn from consideration. By this Amendment, claim 1 is amended. Support for the amendments to claim 1 can be found, for example, at page 1, lines 13 to 16 and page 15, lines 9 to 23 of the instant specification and in original claim 1. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

**Personal Interview**

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Wang in the December 28, 2005 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

**Rejection Under 35 U.S.C. §102**

The Office Action rejects claims 1, 3-6 and 10 under 35 U.S.C. §102(b) over U.S. Patent No. 5,680,188 to Yoshida et al. ("Yoshida"). Applicants respectfully traverse the rejection.

Claim 1 recites "[a]n optical element comprising: a liquid crystal layer made by forming and curing a film of a liquid crystalline material, the liquid crystal layer including a liquid crystal phase in a solidified state such that a molecular orientation of the liquid crystal phase is maintained even when an electrical force is applied ..." As agreed during the December 28, 2005 personal interview and explained in the June 30, 2005 Amendment, Yoshida does not teach or suggest an optical element including such a solidified liquid crystal phase.

Claim 1 is not anticipated by Yoshida. Claims 3-6 and 10 depend from claim 1 and, thus, also are not anticipated by Yoshida. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Rejection Under 35 U.S.C. §103

The Office Action rejects claims 2 and 11 under 35 U.S.C. §103(a) over Yoshida in view of U.S. Patent Application Publication No. 2004/0048950 to Nishida et al. ("Nishida"). Applicants respectfully traverse the rejection.

Claim 1 is set forth above. For the reasons set forth above, Yoshida does not teach or suggest the optical element of claim 1. Nishida does not remedy the deficiencies of Yoshida. As agreed during the December 28, 2005 personal interview and explained in the June 30, 2005 Amendment, Nishida, like Yoshida, does not teach or suggest an optical element including a liquid crystal phase in a solidified state such that a molecular orientation of the liquid crystal phase is maintained even when an electrical force is applied. As neither of the cited references teaches or suggests an optical element including such a solidified liquid crystal phase, the combination of references fails to teach or suggest the optical element of claim 1.

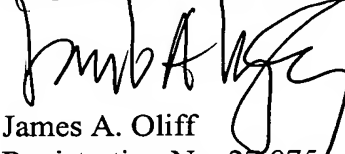
Claim 1 would not have been rendered obvious by Yoshida and Nishida. Claims 2 and 11 depend from claim 1 and, thus, also would not have been rendered obvious by Yoshida and Nishida. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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